

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

OCT 27 2003

Ex parte SUSAN SABATA and LENNY LOW

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Application No. 10/007,256

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on September 29, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On April 29, 2003, an Examiner's Answer was mailed (Paper No. 11). A review of the Examiner's Answer reveals that there is no evidence that an appeals conference was conducted by the examiner. According to the Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., August 2001):

On the examiner's answer, below the primary examiner's signature, the word "Conferees:" should be included, followed by the typed or printed names of the other two appeal conference participants. These two appeal conference participants must place their initials next to their name. This will make the record clear that an appeal conference has been held.

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Accordingly, it is

ORDERED that the application is returned to the examiner for taking corrective action regarding the appeals conference, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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